

March 25, 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY: Melanie Miller
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT**EDWARD LEE POWELL**CASE NUMBER: **W22-065M**

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about March 17, 2022, in McLennan County, in the Western District of Texas defendant(s) did escape and attempt to escape from the custody of the Attorney General or his authorized representative, or from any institution or facility in which he is confined by direction of the Attorney General, or from any custody under or by virtue of any process issued under the laws of the United States by any court, judge, or magistrate judge and such custody and confinement was by virtue of a conviction for the felony offense of Escape, in violation of Title 18, United States Code, Section 751.

I further state that I am a(n) Investigator, United States Marshal Service, and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

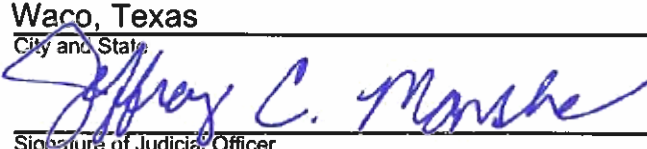
continued on the attached sheet and made a part hereof: YES



EARVIN MISSICK, Investigator
United States Marshals Service

Sworn to before me and subscribed in my presence,

March 25, 2022
Date
Jeffrey C. Manske
U.S. Magistrate Judge
Name & Title of Judicial Officer

Waco, Texas
City and State

Signature of Judicial Officer

AFFIDAVIT
United States of America
vs.
Edward Lee Powell

Affiant, Earvin Missick, being duly sworn, do hereby depose and state that I am a Deputy US Marshal, authorized to enforce the laws of the United States of America, including but not limited to, the investigations to locate and apprehend federal fugitives.

Affiant has been employed with the US Marshals Service since 2018 and prior was employed by the US Border Patrol from August 2010 to February 2018. The Affiant has been a member of the United States Marshals Service for 4 years and have investigated multiple fugitive cases relating to violent crimes. The Affiant has arrested subjects wanted for Murder, Manslaughter, felony assault, assault with intent to kill, felony possession of controlled substance, felony sex offenses, various probation violations, assault, escape, and armed robbery. The Affiant has also interviewed numerous arrestees and subjects regarding violent crimes.

According to conviction documents, on July 21, 2018, Edward Lee Powell was convicted of 18 USC §§ 922(g)(1), *Possession of A Firearm by a Convicted Felon*, and sentenced to a term in BOP of 63 months followed by 3 years of supervised release.

On June 14, 2018, Edward Lee Powell pled guilty to the above offense.

On February 10, 2022, Edward Powell read the Salvation Army Residential Reentry Center Orientation Packet. The packet contains the acknowledgement of custody which stated: Public Law 89-176, 89th Congress. H.R. 6964, September 10, 1965, amends Section (d) of Section 4082 of Title 18, United States code as follows: "The willful failure of a prisoner to remain within the extended limits of his confinement, or to return with the time prescribed to an institution or facility designed by the Attorney general, shall be deemed an escape from custody of the Attorney General, punishable as provide in Chapter 35 of this title."

Edward Lee Powell signed documentation acknowledging that he understands if he doesn't report or remain at his designation facility in Waco, Texas, it shall be deemed as an escape from custody of the Attorney General, punishable as provided in Section 751 of Title 18, United States Code.

Offender Powell was sentenced to serve 63 months on September 21, 2018, for the offense of Felon in Possession of a Firearm. On February 9, 2022, Powell transferred from USP Beaumont, arriving at the Salvation Army Center in Waco, Texas. He had a RRC placement duration of 157 days and was scheduled to release via Good Conduct Time on July 15, 2022. He has 3 years of supervised release to follow.

Offender Powell was placed on escape status on March 17, 2022, after the 9:45pm count revealed him to be absent. RRC staff called his cell phone at 9:56pm, 9:57pm, 10:14pm, 10:26pm and 10:39pm. They attempted to call his aunt, who is his emergency contact and left a message. The local law enforcement, hospitals, (Providence and Baylor Scott and White) were also called with no success. Powell was last seen just before 8:00pm. His current whereabouts are unknown.


A review of the RRC's CCTV showed Powell walking quickly to his room as soon as he noticed the resident monitor walk away from the station. Powell was seen at 7:40pm exiting the back door of the RRC carrying a backpack and two plastic bags with his belongings. Camera footage showed him walking past the men's shelter; afterwards, he was no longer in camera view.

DISCIPLINE: Refusing Drug/Alcohol Test, code 110, March 2022 (sanctioned)

RRC staff contacted the RRM at 11:50pm. USMS were notified March 18, 2022, at 1:17am. VNS Notifications are NOT required.

There has been no known media attention given to this case.

As of this date, Edward Lee Powell has not reported to The Salvation Army RRC Waco, Texas. POWELL's current whereabouts are unknown. Your affiant requests a warrant of arrest be issued for Edward Lee Powell for violation of 18 U.S.C. § 751, *Escape of Prisoner in Custody of Institution or Officer*.



Earvin Missick, Investigator
United States Marshals Service

SWORN TO AND SUBSCRIBED before me on the 25th day of March 2022.



JEFFREY C. MANSKE
United States Magistrate Judge